

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Allan Hardy,

Plaintiff,

vs.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Steven Wheeler, Judge,

Defendant.

Civ. No. 07-2590 (MJD/RLE)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-titled matter, **IT IS ORDERED:**

1. That the Plaintiff's Application to Proceed In Forma Pauperis [Docket No. 2] is denied, as moot.
2. That this action is summarily dismissed pursuant to Title 28 U.S.C. §1915(e)(2)(B)(ii) and (iii).

DATED: July 9, 2007  
At Minneapolis, Minnesota

s/Michael J. Davis  
Michael J. Davis, Judge  
United States District Court